

Town of Erving

Water Department

Rules and Regulations

September 10, 2013

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The following regulations shall be considered a part of the contract with every person who receives the water and every such person by receiving the water shall be considered to express their assent to be bound thereby. Whenever the building or place of such violation, although two (2) or more parties may receive the Water through the same pipe, water shall not be turned on again, except by order of the Board of Water Commissioners.

SECTION -1- NEW SERVICES

- 1.1 Water will not be supplied to any building or premises, except on the written application in the prescribed form, submitted by the owner or owners of the property. The application shall state fully and truly the various uses for which water is required. The completed application form must be submitted to the Water Commissioners and Water Operator, thirty (30) days prior to commencement of work.
- 1.2 The owner must contact a private insured contractor approved by the Water Commissioners to install a new service or replace an existing service. Service taps shall be made by an approved contractor experienced in water works, at the owners' expense under the guidance of a water department licensed operator. All materials used must be approved by the Water Commissioners.

Service pipes shall not be placed in the same trench with any other utility and must be placed a minimum horizontal distance of ten feet from any sanitary sewer line or septic tank and fifteen feet from any cesspool or leaching field.

Service pipes shall be laid with a minimum of four and one half feet of cover.

A road opening permit shall be obtained from the Board of Selectmen.

Water Commissioners reserve the right to defer any new service connections from being made between November 15 and April 1.

- 1.3 The owner or contractor will be responsible for the cost of materials and installation from the water main to a shut off in the cellar of the premises to be served.
- 1.4 In the case of water extensions on or to a new development, the design of any proposed work must be approved prior to construction. The developer shall pay all costs relating to the plan review, the laying of water mains, services and appurtenances. All materials, fittings, hydrants, etc. used shall be approved by the Water Commissioners.
- 1.5 The Water Department will assume the cost of maintenance and repairs to water service between the main and the curb stop on existing service lines one inch in diameter or less. The cost of maintenance and repairs to the service between the curb stop and the cellar will be the responsibility of the owner, who shall maintain, keep in repair and protect the same from frost and other injuries and prevent the waste of water in any way. Repairs on private property shall be repaired within thirty (30) days. The Water Commissioners must be notified of the date of repair and completion. Water service may, at the discretion of the Water Commissioners, be discontinued if a leak requires it.

The cost of installation from main to cellars, maintenance and repairs to all services over 1" will be the responsibility of the owner. Water Department personnel will inspect and document location and materials to insure compatibility with Water Department standards.

- 1.6 On every service feeding the fire protection system of a building there shall be an approved backflow device installed immediately after entry into the building. Also there shall be an approved valve on each side of the backflow device.

No connection shall be made to fire service pipes in buildings without permission in writing from the Water Commissioners.

- 1.7 No cross connection between the water service supplying the premises and any other source will be permitted, nor with any fixture or any appliance containing liquid subject to pollution whereby there is any possibility under any conditions of backflow into the service pipe or water distribution system.

SECTION -2- METERS

- 2.1 All services must be metered. The Water Department will furnish and install a 1" or smaller meter with a remote read attached to the outside of the building. If a larger meter is required the cost of the meter will be the responsibility of the owner. In all cases, the size of the meter to be installed will be approved by the Water Commissioners.

Only one meter will be furnished for each service connection and it may be located between the main and the building or within the building, at the option of the Erving Water Department.

Meters larger than 1" will be tested by the owner and results shall be submitted to the Water Department annually. If the meter is incorrect it shall be replaced or repaired within thirty (30) days at the owners' expense. The Water Department will be notified to inspect replacement and record serial numbers.

No plastic lines are allowed between the water main and the water meter. If a property owner insists on plastic, the owner shall install a meter pit before the plastic at their own expense.

- 2.2 A suitable place shall be provided in each house for installing a meter which shall be set by the Erving Water Department who shall have access to same for removing, repairing, reading or adjusting at all times.
- 2.3 Consumers shall maintain a passage way to the meter and keep the meter accessible for reading or removal at all times. Should free access

to the meter not be made within a reasonable length of time, the water may be shut off until such access is provided for.

- 2.4 In case a breakage, stoppage or other irregularity in the meter is observed by the consumer, they are to notify the office of the Erving Water Department at once.
- 2.5 All repairs to the meter will be made by the Water Department. If any meter installed on a consumers premise is stolen or is damaged by freezing, hot water, fire or otherwise the cost of replacement will be charged to the consumer. When meters cease to register through no fault of the owner the Water Department shall repair or replace the meter at no expense to the owner.
- 2.6 All services will be required to have outside readers or radio reads, for meters 1" or smaller the cost will be the responsibility of the Water Department. For meters larger then 1" the expense of said installation to be borne by the owner of the property.
- 2.7 All meters and equipment of the Water Department on the customer's property shall remain the property of the Water Department. The Water Department reserves the right at all times to remove, test, repair or replace any meter.

No meter shall be changed, altered, disconnected or in any manner disturbed except by an employee of the Water Department or an agent duly authorized by the Water Commissioners.

- 2.8 If a consumer desires a meter tested, he shall make application in writing to the Erving Water Department. If the test show the measurements of the meter favor the Erving Water Department more than three percent, a corresponding rebate will be made on the disputed bill and consumption for the current period up to the time of the test. There will be a \$50.00 charge, paid in advance, to have the meter tested. If the meter is found to be incorrect, a refund will be issued.
- 2.9 The flow testing of sprinkler systems will be conducted under the direction, and with prior permission, of the Water Commissioners. All expenses incurred if any by the Water Department will be paid by the Property owner requesting the test.

SECTION -3- RATES AND CHARGES

- 3.1 All metered water rates shall be payable at the Office of the Tax Collector.
- 3.2 The owner of the premises shall be responsible for payment of all charges for water and service furnished to the property (by State law, all charges for water or service become a lien against the property immediately following the due date.).

- 3.3 All bills will be mailed to the owner of record on file with the Water Department unless application for special mailing is made to and approved by the Water Department. When ownership changes, the name and address of the new owner must be registered with the Water Department. Failure of the owner to receive a bill does not relieve him from the obligation of payment nor from the consequences of its non-payment.
- 3.4 Service charge for testing meters 1" and smaller will be a \$50.00 charge per test, non-refundable, except if meter is found to be inaccurate. If the meter is found to be inaccurate (3% or more), the \$50.00 charge will be refunded
- 3.5 If a meter fails to register properly, the consumption for the period will be estimated from the consumption of a corresponding preceding period when the water was supplied under similar conditions and was correctly measured.
- 3.6 If the meter reader is unable to gain access to a meter for reading, the bill for the period may be estimated and the proper correction made on the bill for the next period.
- 3.7 If the Erving Water Department finds evidence of tampering with the meter or service pipes, the bill for the period will be estimated and a fine of \$3,000.00 will be assessed. Upon repetition of the offense, service will be discontinued.
- 3.8 All water passing through a meter will be charged for whether or not it was used unless it was kept running to prevent freezing with the permission of the Water Department and a meter reading when it was first left on and when it was shut off is taken by a Water Department employee.
- 3.9 Water shall not be kept running to prevent freezing without permission in writing of the Water Department.
- 3.10 The owner of a property shall be charged \$40.00 for shutting off and \$40.00 for turning on the water service when said work is required by the owner. Twenty-four hours' notice shall be given to the Water Department when turning on or shut off of a service is required, and in all cases turn on and shut offs will be done during normal working hours of the Department. In the event of an emergency outside of normal Water Department hours, the owner will be billed for cost to the Water Department, including all after-hour costs.
- 3.11 No discount will be made for vacant premises unless an agent of the Water Department shuts off the water.
- 3.12 The charge for metered water for all purposes and for all services and materials supplied by the Water Department will be according to the rate

schedule approved by the Water Commissioners. All rates and charges are subject to change without notice. This will include tie-in fees and service charges, as well as normal rates for volume used.

- 3.13 All bills shall be due upon receipt. If a bill remains unpaid after thirty (30) days, interest will accrue back to the original billing date. Bills must be paid in full before a bill can be disputed.
- 3.14 Shut Off Policy – Water bill payment will be due thirty (30) days from the postmarked date of the original bill. Overdue notices will go to property owners and “current occupant” forty-five (45) days after the postmarked date of the original bill. Shut off notices will go to property owners and “current occupant” sixty (60) days after the postmarked date of the original bill. The shut off notice will specify that shut off will occur on or after Monday. Shut off will not occur sooner than seventy-five (75) days from the postmarked date of the original billing. The shut off notice will clearly state the earliest date that shut off can occur. There will be no further notice.

In order for water service to be restored during normal work hours, the resident must pay the bill in full plus a \$40.00 water off and \$40.00 turn on administrative charge. If services are requested to be turned on after the working hours, the resident must pay, in advance, the cost of doing the service (2 men X 4 hours each X labor rate). If the resident waits to pay the bill until the morning of the termination, the administrative charge will be assessed.

If the consumer pays the water charges with a check and that check later is denied by the bank, the residents’ water will be terminated at the time that the Town is notified and no notice will be given to the consumer. This policy applies to all bills with a balance of \$10.00 or more.

SECTION –4- ABATEMENTS

- 4.1 The Water Commissioners have the statutory right to grant abatements of water bills. All requests for abatements must be filed, in writing, within forty-five (45) days of date of mailing bill. Any abatement request received after the forty-five (45) day period will be denied. The bill must be paid in full to avoid interest charged. Any interest accrued on the amount abated will be abated.
- 4.2 Reasons for abatements will include if the reading was estimated, due to no access to the meter and the reading shows that the estimate was incorrect or if the meter was tested and accuracy was not within the acceptable limits. No abatements will be granted for leaks in plumbing, toilets, etc. since water is the responsibility of the owner after it is delivered through the meter.

- 4.3 Customers may direct questions regarding their bill to the Water Commissioners office by phone, mail or e-mail.

Meter testing and/or reading check will be coordinated during normal working hours of the Water Department, 7:00 AM to 2:00 PM, Monday through Friday. The owner or representative for the owner must be present during the removal, testing, reinstallation or reading of the meter. Leaving the door unlocked is unacceptable.

If the meter is found to be accurate under section 2.8, the abatement will be denied by the Water Commissioners. If the meter is found to be inaccurate, an abatement will be granted by the Water Commissioners, calculated from the meter test results.

- 4.4 There are Special Provisions. They are as follows:

- a. Checking all meters up to 1", which are the property of the Erving Water Department, for accuracy in response to a request for abatement will be done by the Erving Water Department or its delegated representative. A \$50.00 charge to have the meter tested shall be paid in advance of testing each time. The fee will be refunded only if the meter is found to be inaccurate (more than 3%).
- b. Meters over 1", which are the property of the owner. These meters shall be checked annually in order to insure fair billing. Since these large meters are owned by the property owner, they can be privately checked, with Water Department coordination, and the results should be submitted to the Water Department for appropriate adjustment. The Water Department, may of course, at the discretion of the Water Commissioners, perform tests on the large water meters if they feel it is necessary. All costs shall be assessed to the owner of the device.
- c. Large meters which fail or are tested inaccurate shall be repaired or replaced at the expense of the owner, within thirty (30) days. Failure of the owner to take necessary steps to cause said repair/replacement to occur, shall result in an increased estimated bill, service terminated after sixty (60) days until the meter has been repaired/replaced and assessing the owner all costs to include Department Administrative Fees or shut-off of the water connection, pending the owners' compliance. Any bill for a broken or inaccurate meter, shall not be considered for abatement and any added cost to the owner shall be deemed a fee for noncompliance to cover the Regulatory Agency (Erving Water Commissioners and the Water Department) involvement.
- d. In the incidence where the Water Department has reason to question large meter accuracy, they may, with the Water Commissioners approval, order the owner to have the meter tested or cause meter to be tested. Payment for testing shall be at the Water Commissioners option paid for by the Department or assessed to the owner based on specific circumstances and test results. This testing shall not be done

at intervals of less than one (1) year unless there is documented evidence submitted to and accepted by the Water Commissioners for additional testing at a more frequent interval.

SECTION -5- MISCELLANEOUS

- 5.1 The Erving Water Department reserves the right at all times to shut off the water without notice, for all repairs, extensions, alterations or other necessary work connected with the system.
- 5.2 No claim shall be allowed for short water or damages caused by shutting off the water in the main pipe to make extensions, connection, repairs, for any cause deemed necessary by the Department.
- 5.3 The Erving Water Department will not be responsible for damage caused by dirty water resulting from opening or closing of gates, for repairs, the use of hydrants or the breaking of lines or any other reason.
- 5.4 The Erving Water Department reserves the right to restrict the use of water whenever public emergency or the Department of Environmental Protection so requires.
- 5.5 All persons taking water must keep their own fixtures and service pipes in good repair to prevent leakage and unnecessary waste of water. The Department reserves the right to decide what shall be considered waste or improper use of water and to restrict such use.
- 5.6 The Erving Water Department reserves the right to enter the premises of any water user to inspect the fixtures, determine the quantity of water used, or to set, repair or test meters.
- 5.7 No one, except firemen at fires or duly authorized agents of the Water Department, will open or close any public hydrant, gate, curb or corporation valve.
- 5.8 Anyone requesting a temporary water connection shall fill out a request form and obtain approval at the Erving Water Department, 12 East Main St, Erving, MA, 01344. A hydrant fee of \$30.00 will be charged for the set-up and water turn on/off and will be payable at the time of application. All work related to this request will be accomplished during normal working hours. Water usage will be charged at a rate of \$5.00 per day for the use of hydrant and water consumption through a meter charged at the current rate. Any increase in the connection line size must be approved by the Water Superintendent or their designee who, upon approval, will set the applicable per day water rate.
- 5.9 The Erving Water Department will have the authority to discontinue water to any user violating any of these rules and regulations. Each day a violation occurs will constitute a separate offense.

- 5.10 Any person desiring to connect to the Erving Water system or desiring any other permit from the Water Department shall do so only after securing a written permit for such connection from the Town of Erving Water Commissioners.
- 5.11 The applicant shall make a written application (on a form provided by the Water Department) to the Water Commissioners, with a plan showing
 - 5.11.1 Any water lines to be installed, altered, repaired or removed and the relationship to the nearest water main, public way, the house and any other significant object.
 - 5.11.2 Construction details sufficient to guarantee and describe compliance with these rules and regulations
- 5.12 The Water Commissioners shall notify the property owner making the application within thirty (30) days of the completed submission that the:
 - 5.12.1 Application conforms to the Water Department standards and is approved, or
 - 5.12.2 Application conforms to the Water Department standards subject to certain modifications, conditions, restrictions, or
 - 5.12.3 Application does not conform to the Water Department standards and is denied.
- 5.13 If the Water Commissioners take no action within thirty (30) days of the completed submission, the application is automatically denied.
- 5.14 If an application is denied, water shut off, or a person is aggrieved in a way that relates to the Water Department's responsibility by the Water Commissioners or their designees, an appeal may be made within thirty (30) days to the Commissioners. Said appeal shall include the following:
 - 5.14.1 The date of submission of the application and a copy of the application and plan or in the case of water shut off, or other grievance a factual statement of the action taken by the Water Department or its designee.
 - 5.14.2 A copy of any communication written from the Water Department and the date of same.
 - 5.14.3 The reasons setting forth why the appellant feels the permit should not have been denied or the action should or should not have been taken in the case of any other grievance.

5.15 TEMPORARY WATER CONNECTION – REQUEST FORM AND COST

Anyone requesting a temporary water connection shall fill out a request form and obtain approval at the Erving Water Depart, 12 East Main St, Erving, MA, 01344. A hydrant fee of \$40.00 will be charged for the set-up and water turn on/off and will be payable at the time of application. All work related to this request will be accomplished during normal work hours. Water usage will be charged at a rate of \$10.00 per day for hydrant use and any consumption of water shall be assessed at the current rate. Any increase in the connection line size must be approved by the Water Superintendent or his designee who, upon approval, will set the applicable per day water usage rate.

LOCATION REQUESTED:

OWNER/USER:

ADDRESS:

REASON FOR REQUEST:

DATES OF SERVICE:

I UNDERSTAND A \$40.00 SET-UP AND WATER TURN ON/OFF FEE IS PAYABLE WITH THIS REQUEST AND THAT I WILL BE BILLED AT THE RATE OF \$_____ PER DAY FOR EACH DAY THE SERVICE IS AVAILABLE.

TEMPORARY CONNECTION APPROVED: _____

WATER SUPERINTENDENT

OR

HIS DESIGNEE

CONNECTION FEE SCHEDULE

TAP SIZE	DEMAND
¾"	\$1,000.00
1"	\$1,000.00
1 ½"	\$1,000.00
2"	\$1,000.00
4"	\$2,000.00
6"	\$2,500.00
8"	\$3,000.00
12"	\$3,500.00

All saddles, valves, sleeves, pipes or other appurtenances, opening and closing of a road is the responsibility of the applicant.

Failure to clear out the hydrant within 24 hours of a storm: \$100.00

**ERVING WATER DEPARTMENT
FEES AND CHARGES**

The “per gallon” charge for water is determined by the Water Commissioners.

MINIMUM CHARGE: \$40.00 per billing period.

Testing Meters:	See Section 24	\$ 50.00
Frozen Meters:		\$ 300.00
Shutoff Notice:		\$ 15.00
To Shut Off Water:		\$ 40.00
To Turn Water On:		\$ 40.00
Initial water turn on fee per property/customer: (Reading fees for transfers, etc.)		\$ 40.00
NEW INSTALLATIONS: Please see rules and regulations.		
BAD CHECK: Insufficient Funds Charge:		\$ 25.00
DELINQUENT PAYMENT: Processing Charge		\$ 25.00

The foregoing rules and regulations are subject to revision or amendment at the order of the Water Commissioner’s.

Accepted on June 21, 1993

Amended on July 19, 1993

Amended on September 10, 2013



TOWN OF ERVING WATER DEPARTMENT

Application for New Water Service

Owners' Name _____

Current Address _____

Date of Application _____

New Service to Be Installed At _____

Number of Families _____ **Date Billed** _____

Service Size _____ **Date Paid** _____

Meter Size _____ **Meter Install Date** _____

The above is a true statement of all intended uses of water.

It is understood that all service installation charges must be paid in full before the water is supplied for use.

I hereby agree to conform to the rules, rates, and regulations of the Town of Erving Water Department now in force or may hereafter be adopted by the Board of Water Commissioners.

Contractor's Name _____

Address _____ **Phone** _____

Signature of Owner _____ **Date** _____

Application Approved By _____ **Date** _____

Date to Be Installed _____ **Date** _____

FOR OFFICE USE ONLY

Service No. _____ **Route No.** _____

ERVING WATER DEPARTMENT

- Any person desiring to connect to the Erving Water system or desiring any other permit from the Water Department shall do so only after securing a written permit for such connection from the Town of Erving Water Commissioners.
- The applicant shall make a written application (on a form provided by the Water Department) to the Water Commissioners, with a plan showing
 - Any water lines to be installed, altered, repaired or removed and the relationship to the nearest water main, public way, the house and any other significant object.
 - Construction details sufficient to guarantee and describe compliance with these rules and regulations
- The Water Commissioners shall notify the property owner making the application within thirty (30) days of the completed submission that the:
 - Application conforms to the Water Department standards and is approved, or
 - Application conforms to the Water Department standards subject to certain modifications, conditions, restrictions, or
 - Application does not conform to the Water Department standards and is denied.
- If the Water Commissioners take no action within thirty (30) days of the completed submission, the application is automatically denied.
- If an application is denied, water shut off, or a person is aggrieved in a way that relates to the Water Department's responsibility by the Water Commissioners or their designees, an appeal may be made within thirty (30) days to the Commissioners. Said appeal shall include the following:
 - The date of submission of the application and a copy of the application and plan or in the case of water shut off, or other grievance a factual statement of the action taken by the Water Department or its designee.
 - A copy of any communication written from the Water Department and the date of same.
 - The reasons setting forth why the appellant feels the permit should not have been denied or the action should or should not have been taken in the case of any other grievance.